

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM
Section 5: Rio Gallina

STATUS REPORT

Pursuant to the Scheduling Order Amending Scheduling Order on Irrigation Water Requirements entered December 27, 2006 (Docket No. 8522), the Gallina – Capulin Acequias in Section 5 (“Acequias”) and the State of New Mexico, *ex rel.* State Engineer (“State”) jointly submit the following Status Report.

1. On January 26, 2007, the State submitted a proposed Stipulation and Settlement Agreement on Irrigation Water Requirements in Section 5 (“Agreement”) to counsel for the Acequias for review and approval. Internal review and final approval of the proposed Agreement by the State was delayed until that date by other litigation deadlines, inclement weather, legislative hearings and other matters associated with the 2007 legislative session.

2. Due to the number of parties and commissioners involved, the Acequias will require at least 60 days to convene and review the proposed Agreement prior to any approval.

3. The Acequias and the State anticipate that they will be able to formalize an agreement on the irrigation water requirements in Section 5 prior to the quarterly status conference set for May

1, 2007 in Santa Fe. If the parties are unable to formalize an agreement by that time, the Acequias and the State will report to the Special Master at that conference whether they anticipate the need for additional time or whether other formal proceedings may be required.

Dated: January 30, 2007

Respectfully submitted,

/s/ Ed Newville
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